

## **REMARKS**

Claims 22-39 are pending. Claim 22, 26, 31, and 32 have been amended. No claims have been added or canceled. No new matter has been added. Support for the claim amendments may be found throughout the specification and figures, for example, at Paragraph [0035].

Claims 22-39 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 7,053,780 (“Straub”) in view of various combinations of U.S. Patent No. 7,003,304 (“Helperich”), U.S. Patent No. 6,850,604 (“Cannell”), U.S. Patent No. 6,728,522 (“Marrah”), and U.S. Patent No. 7,233781 (“Hunter”). More specifically, the Office Action suggests that Straub teaches “determining whether to notify a user … of the emergency alert broadcast based on user-defined emergency alert preferences” (see Office Action – Page 3).

Independent claim 22 recites “a wireless telephone for receiving an incoming call.” The wireless telephone includes “a microcontroller … configured to be a common processor resource for … first and second receivers of the wireless telephone by … determining whether to notify a user … of the emergency broadcast based on user-defined emergency alert preferences” where “the user-defined emergency alert preferences comprise one or more emergency alert types the user wishes to be notified of.”

Straub does not disclose, teach, or suggest determining whether to notify a user of the emergency alert broadcast based on user-defined emergency alert preferences where the user-defined emergency alert preferences include one or more emergency alert types the user wishes to be notified of. In Straub, a navigation device receives weather signals that include location information associated therewith (see Abstract; Col. 9, ll. 40-65; Fig. 4). The navigation device then compares the location information of the weather signals with the position or location of the navigation device (see *id.*). Based on the comparison, a weather alert can be generated in the navigation device (see *id.*). In Straub, the weather alert can include a weather alert for one or more countries adjacent to the country associated with the position or location of the navigation device (see Col. 6, ll. 1-23). For example, a user can select a predetermined distance for which to receive a weather alert for an adjacent country

such that when the navigation device is within the predetermined distance a weather alert for the adjacent country can be generated in the navigation device (see *id.*).

While Straub discloses that emergency alert broadcasts can be generated in a navigation device based on user selectable criteria, Straub does not disclose, teach, or suggest that the user-selectable criteria includes one or more emergency alert types the user wishes to be notified of. Rather, in Straub, the user selectable criteria includes selected distances or countries, not emergency alert types. Thus, Straub does not disclose, teach, or suggest determining whether to notify a user of the emergency alert broadcast based on user-defined emergency alert preferences where the user-defined emergency alert preferences include one or more emergency alert types the user wishes to be notified of.

Similarly, Helferich, Cannell, Marrah, and Hunter individually or in combination with each other or Straub do not disclose, teach, or suggest determining whether to notify a user of the emergency alert broadcast based on user-defined emergency alert preferences where the user-defined emergency alert preferences include one or more emergency alert types the user wishes to be notified of.

Based on at least the foregoing, Applicants respectfully submit that independent claim 22 patentably defines over the references as applied.

As independent claims 31 and 32 recite similar, but not identical, features as independent claim 22, Applicants respectfully submit that independent claims 31 and 32 patentably define over the references as applied. Additionally, as claims 23-30 ultimately depend from independent claim 22 and claims 33-39 ultimately depend from independent claim 32, Applicants further respectfully submit that dependent claims 23-30 and 33-39 patentably define over the references as applied.

Accordingly, Applicants respectfully request withdrawal of the rejection of claims 22-39 under 35 U.S.C. § 103(a).

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**PATENT**

**CONCLUSION**

In view of the foregoing, Applicants respectfully submit that the claims are allowable and that the present application is in condition for allowance. Reconsideration of the application and an early Notice of Allowance are respectfully requested. In the event that the Examiner cannot allow the present application for any reason, the Examiner is encouraged to contact the undersigned attorney, Hilary A. Reinhardt at (215) 568-3100, to discuss the resolution of any remaining issues.

Respectfully submitted,

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